

Notice of Allowability

Application No.

10/669,999

Applicant(s)

HARNEY, DONALD

Examiner

Art Unit

Hugh B. Thompson II

3634

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Telephone Interview of 12-11-06.
2. ☒ The allowed claim(s) is/are 1-19 and 21-27.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date 12-11-06.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>12-11-06</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input checked="" type="checkbox"/> Other <u>Drawing sheet Fig. 5</u> . |

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Brett Trout on December 11, 2006.

The application has been amended as follows:

Claim 21, line 3, "a plate" has been changed to --a main plate--.

Claim 21, line 4, has been replaced with --a hinge plate hinged to the main plate along a first axis;--

Claim 21, line 5, "hinged plate" has been changed to --hinge plate along a second axis--.

Claim 21, line 5, "scaffolding.", has been changed to --scaffolding; and--.

Claim 21, after line 5, --wherein said first axis is different than said second axis.-- has been added.

Claim 22, line 3, "secured" has been changed to --plate hinged--.

Claim 22, line 3, "and" has been deleted.

Claim 22, between lines 3 and 4, "a sleeve coupled to said hinge plate; and-- has been added.

Claim 22, line 4, "for receiving" has been changed to --plate for securing--.

Claims 23 and 24, line 1, "receiving" has been changed to --securing--.

Claims 23 and 24, lines 1-2, "is means for receiving" has been changed to --secures--.

Art Unit: 3634

Claim 27, line 1, "method" has been changed to --support member--.

Claim 27, line 1, before "secured", --adapted to be-- has been inserted.

The following changes to the drawings have been approved by the examiner and agreed upon by applicant: Applicant must amend the drawings to reflect the sleeve received "onto", i.e., about the sleeve. Also, newly submitted Figure 5 must be labeled as "new", so as to properly be entered. In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

The following is an examiner's statement of reasons for allowance: for claim 1 it is the inclusion of the sleeve secure normal to the hinged plat that receives the scaffolding coaxial thereto, and the base plate extending beyond the plate and below the hinged plate. For claim 21 it is the inclusion of the hinge plate hinged to the main plate along a first axis, the means journaled, i.e., rotatably secured about a second axis, to the hinge plate that receives the leg, wherein the first and second axis are different. For claim 22 it is the inclusion of the hinge plate hinged to the base plate, a sleeve coupled to the hinge plate and a means coupled to the hinge plate for securing the leg coaxially with the sleeve, that means allowing for vertical placement of the leg onto or into the sleeve and being a pin received within the sleeve and the leg to secure the leg thereto. The prior art of record fails to teach or suggest the claimed features absent the applicant's own disclosure.


Art Unit: 3634

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hugh B. Thompson II whose telephone number is (571) 272-6837. The examiner can normally be reached on Monday thru Friday 9 am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Cuomo can be reached on (571) 272-6856. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Hugh B. Thompson II
Primary Examiner
Art Unit 3634

December 11, 2006



New

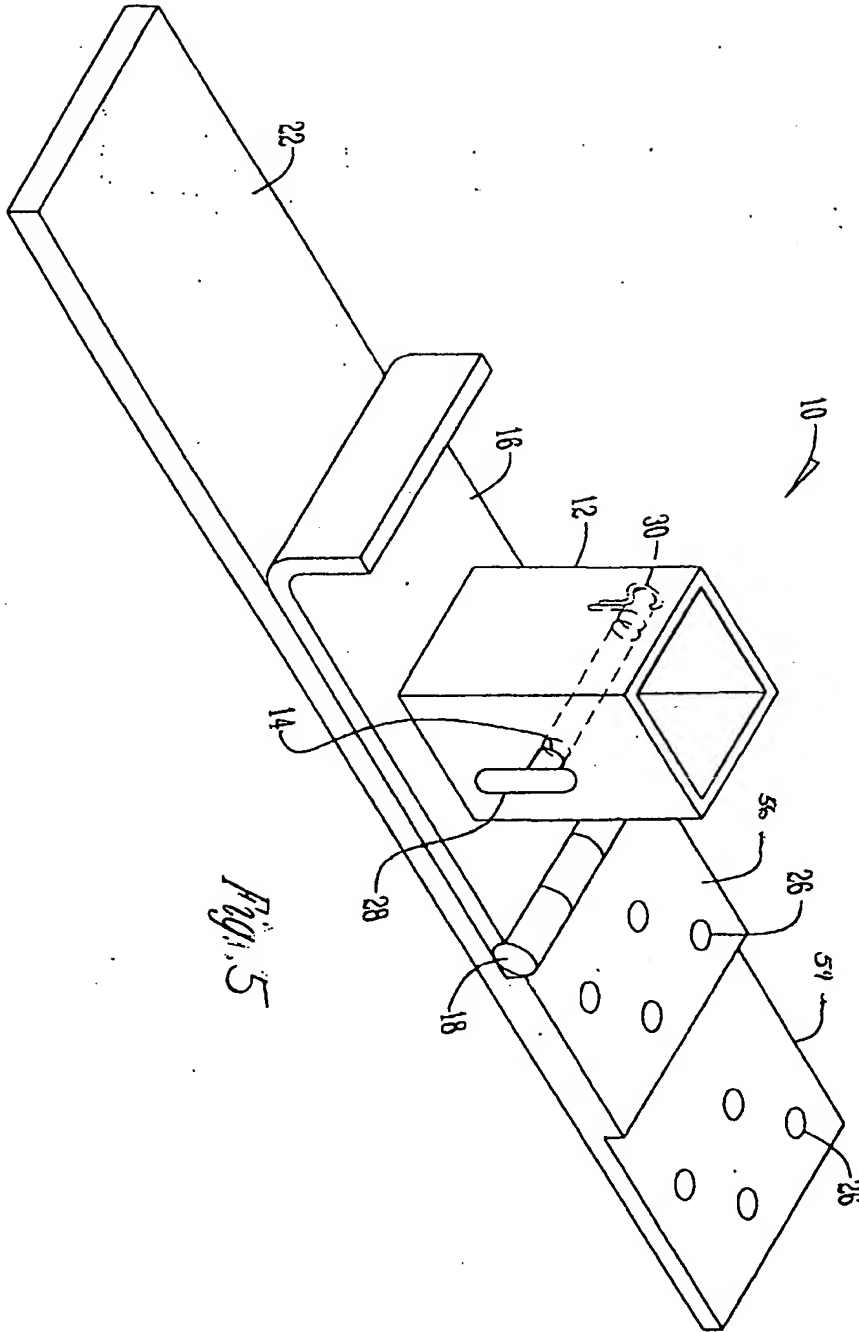
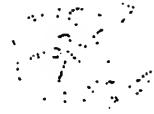


Fig. 5